IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH DECEMBER 2006 / 13TH AGRAHAYANA 1928

Bail Appl..No. 7147 of 2006()

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CRIME NO.557/06 OF PARASSALA POLICE STATION

PETITIONERS/ACCUSED NOS.1 TO 7

1. P.K.SURESH, AGED 34, S/O.PADMANABHAN NAIR, P.K.S.BHAVAN,ARAYOOR P.O., NEYYATTINKARA TALUK.

2. RAMACHANDRAN NAIR, AGED 43, S/O.SUKUMARAN NAIR, KOTTUMAMVILA VEEDU, ABHEDANANDAPURAM, MARYAPURAM P.O., NEYYATTINKARA TALUK.

3. JAYAKRISHNAN, AGED 24, S/O.HARIKUMAR, PALLIMANGALAM, KIZHAMAKKAM, CHENKAL P.O., NEYYATTINKARA TALUK.

4. JIJU, AGED 21, S/O.SUKUMARAN NAIR, NINA BHAVAN, ABHEDANANDAPURAM, MARYAPURAM P.O., DO. DO. VILLAGE.

5. MOHANAN NAIR, AGED 50, S/O.MADHAVAN PILLA, KRISHNA NIVAS, DO. DO.

6. SREEKANTHAN, AGED 23, S/O.KRISHNAN NAIR, KARIMAMKOTTU VEEDU, MELAMAKAM, MARYAPURAM P.O.

7. PRASANTH, AGED 24, S/O.SASIDHARAN NAIR, PANAMTHOTTATHU VEEDU, DO. DO.

BY ADV. SRI.SASTHAMANGALAM S.AJITHKUMAR
SRI.RENJITH B.MARAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY S.I. OF POLICE, PARASSALA POLICE STATION, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/12/2006,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7147 OF 2006

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DATED THIS THE 4TH DAY OF DECEMBER, 2006

O R D E R

Petitioners who are accused, 2, 1 and 3 to 7 respectively in Crime No.557/06 of Parassala Police Station for offences punishable under sections 143, 147, 148, 324 and 308 IPC read with section 149 IPC,seek anticipatory bail.

2. Learned counsel for the petitioners submitted that pending this application, accused 4 and 6 who are petitioners 4 and 6 have been arrested and he is not pressing the application regarding petitioners 4 and 6. There is a counter case registered as Crime No.559/06 at the instance of petitioners 4 and 6 in which deadly weapons like sword and chopper have been allegedly used. The weapon used in the present case is a wooden lathi . Considering the fact that there is a counter case also from the same occurrence, I am inclined to grant bail to the petitioners excluding petitioners 4 and 6. Accordingly, a direction is issued to the Investigating Officer to release petitioners 1 to 3, 5 and 7 on bail for a period of one month in the event of their arrest in connection with the Crime No.557/06 on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction of the Investigating officer

and subject to the following conditions:

1. Petitioners 1 to 3, 5 and 7 shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners 1 to 3, 5 and 7 shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners 1 to 3, 5 and 7 shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners 1 to 3, 5 and 7 shall not commit any offence while on bail.

5. Petitioners 1 to 3, 5 and 7 shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If petitioners 1 to 3, 5 and 7 commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn